





IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant:

Takayuki MITSUYA et al. Conf.: 6326

Appl. No.:

09/423,085

Group: 1761

Filed:

November 2, 1999

Examiner: Robert MADSEN

For:

POWDER COMPOSITION

REQUEST FOR CONTINUED EXAMINATION UNDER 37 C.F.R. § 1.114

MS RCE

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

July 14, 2003 (Monday)

Sir:

This is a "Request for Continued Examination" under 37 C.F.R. § 1.114, the provisions of which do not apply to:

(1) A provisional application; (2) An application for a utility or plant patent filed under 35 U.S.C. 111(a) before June 8, 1995; (3) An international application filed under 35 U.S.C. §363 before June 8, 1995; (4) An application for a design patent; or (5) A patent under reexamination.

Submission of an RCE is limited to an application in which prosecution is closed; e.g. final rejection, Ex Parte Quayle; or notice of allowability

- This Request for Continued Examination is being filed prior to the earliest of:
 - (1) Payment of the issue fee, unless a petition under § 1.313 is granted; (2) Abandonment of the application; or (3) The filing of a notice of appeal to the U.S. Court of Appeals for the Federal Circuit under 35 U.S.C. § 141, or the commencement of civil action under 35 U.S.C. §§ 145 or 146, unless the appeal or civil action is terminated.
- The enclosed document is being transmitted via the Certificate of Mailing provisions of 37 C.F.R. § 1.8.

07/16/2003 RMEBRAHT 00000014 09423085

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750.00 OP

300,00 UP

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Appl. No. 09/423,085

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	The enclosed document is being transmitted via facsimile.											
\boxtimes	Submission Required under 37 C.F.R. § 1.114:											
	Enter as part of the present submission:											
	\boxtimes	An After Final Amendment previously filed on June 12 2003, under 37 C.F.R. § 1.116 but unentered, in th present application.										
		Arguments in the Appeal Brief or Reply Brief previously filed on .										
	A Reply Under Rule 1.111, attached hereto. Claim fee(s) are calculated as set forth below:											
			TOTAL	TOTAL	NUMBER	Large	Entity	Smal	L Entity			
			NUMBER OF CLAIMS PREVIOUSLY PAID FOR	NUMBER OF CLAIMS	EXTRA	Rate	Fee	Rate	Fee			
	Total Claims		20	=		X 18	\$	Х 9	\$			
		pendent	3	=		X 84	\$	X 42	\$			
			PRESENTATION OF A MULTIPLE ENT CLAIM		LE	280	\$	140	\$			
				TO	TAL CLAIM	FEE(S	3)	\$	0.00			
	☐ An Information Disclosure Statement (IDS) and PTO-1449 form(s) is/are attached hereto for the Examiner's consideration. ☐ Other:											
	Miscellaneous											
·	Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of () months. (Period of suspension shall not exceed 3 months.)											
	<u>Fees</u>											
	The required fee under 37 C.F.R. § 1.17(e) as required by 37 C.F.R. § 1.114 when the RCE is filed, is enclosed herewith:											
	☐ \$375.00 - small entity											

\boxtimes	The	applicant(s)	hereby petition(s) for an extension of	two
	(2)	month(s) pur	suant to 37 C.F.R. §§ 1.17 and 1.136(a).	. The
	fee	has been cal	culated as shown below:	

- NO extensions of time have been previously obtained in the prior application. Thus, a fee of \$0.00 is required for the full period of the above-requested extension of time.
- An extension of one (1) month(s) was previously requested and paid for on June 12, 2003 in the instant application. Thus, a fee of \$300.00 is required to obtain an additional one (1) month(s) extension.
- The fee of \$130.00 under 37 C.F.R. § 1.17(i) for suspension of action is enclosed.
- Enclosed is(are) check(s) in the total amount of \$1,050.00 for the applicable filing fee, additional claims fee, suspension fee, and/or extension fees.
- Please charge Deposit Account No. 02-2448 in the amount of \$0.00. A triplicate copy of this sheet is attached.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

Gerald M. Murphy, Jr., #28,977

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Attachment(s)

GMM/RG:qml

1422-0401P

(Rev. 04/30/03)